

**Agenda
Class VI Advisory Committee
September 3, 2020**

**Agenda Item #2A
Approval of Minutes**

August 20, 2020

DRAFT

**CLASS VI ROADS ADVISORY COMMITTEE
REGULAR MEETING AGENDA
Remote via Microsoft Teams
LebanonNH.gov/Live
Thursday, August 20th, 2020
6:30 PM**

MEMBERS PRESENT: Stephen Wood, Erling Heistad, Joan Monroe, Barbara Hirai, Marc Coleman, Colin Smith

MEMBERS ABSENT: None

STAFF PRESENT: Marc Goodwin (GIS Coordinator)

1 **1. CALL TO ORDER:** Chair Stephen Wood called the meeting to order at 6:34 PM

- 2
- 3 • Mr. Mark Goodwin reviewed the meeting procedures for remote meetings and NH RSA 91-A
- 4 “Right to Know” requirements. A Roll Call of Commission Members who participated remotely
- 5 are listed above.
- 6

7 **2. APPROVAL OF MINUTES:** August 6th, 2020

8

9 *Mr. Heistad MOVED to approve the August 6th, 2020 Minutes as amended below and presented in*

10 *the August 20th, 2020 agenda packet.*

11 *Seconded by Mr. Smith.*

12

13 Amendments:

14

15 Page 3, Line 1, Remove “2” from “1980”

16

17 **Roll Call Vote:**

18 **Erling Heistad, Stephen Wood, Barbara Hirai, Joan Monroe, Marc Coleman, Colin Smith all**

19 **voting Yea.**

20 **None voted Nay.**

21

22 ** The Vote on the MOTION was unanimously approved (6-0).*

23

24 **3. STUDY ITEMS:**

25 **A: Background Information Packet-Applicable to the following four roads.**

26 Mr. Goodwin went over the information in the background packet and explained how the maps, that the

27 Class VI Road Committee are using, were created.

28 Chair Wood explained what the Class VI Road Committee is tasked with deciding by the City of

29 Lebanon.

B: Road #15 (Barden Hill Road): Review and discussion, including resident recommendation to discontinue portions thereof.

The Committee received a letter from the landowners, the Patches, saying that they agree that a road from Meriden Road up to the Hough cellar hole exists. Beyond that they and their surveyor, Chris Rollins, do not believe that a road exists there.

The Committee is focusing on the part of the road from the Hough cellar hole, going East toward Enfield, NH. The Committee will be deciding on what recommendation to give to the City of Lebanon's City Council. Is it a Class VI Road, a Class A Trail or a Class B Trail? The Committee members discussed the road and the maps.

Comments were opened to the landowners. Ms. Barb Patch pointed out that 12 years ago the Class VI Roads Committee were the ones who started to refer to the road in question as the Barden Hill Road Extension. In the 1980s the snowmobile club, with the permission from the landowner at that time, bulldozed a trail in the area called the Barden Hill Road Extension. The Patches do not believe it has been used by any other people. Ms. Patch asked their surveyor, Chris Rollins to speak on the situation.

Mr. Chris Rollins, Land Surveyor, spoke on walking the road with Matt Patch. After walking all the way to the Kimball Property corner, he did not find a single piece of evidence to suggest that there was ever a road in existence.

Comments were opened to the public. Ms. Cindy Cosell spoke about her childhood as early as 1963 and walking on the road in question and said that she and her family were always under the impression that it was a public right of way, not private property. She also mentioned that since she moved back to Churchill Way in 2004, she has been walking, snowshoeing and cross-country skiing on that same roadway.

Ms. Jan Lahaye lives on Meriden Hill Road. She used to go up Barden Hill Road to Methodist Hill Road until 2 or 3 years ago when the road was posted. She would walk up the road 2 to 3 times a week. A couple of times she had even walked all the way to Methodist Hill Road to get a cup of coffee from Dunkin Donuts. She believes that it was an obvious road.

Ms. Patch said that the public needs to remember that the snowmobile club had put in a snowmobile trail over that area and had asked the Patches permission to keep it there once the Patches bought the property. Mr. Cody Patch asked if just because the public used the trail should that be considered a public right of way on private property? He does not believe that should make it a Class VI Road. Mr. Arthur Patch wanted to know why the Committee was assuming that the Torbert maps was showing a Class VI Road when one of his maps showed it as abandoned or little used. The other maps in the packet also showed no road there at all.

Mr. Goodwin said the first Torbert map showed the road but then it became little used or abandoned which is why the other maps would not have shown the road existing. There is no formal record, that has been found, of a formal discontinuance of the road, just that the road is no longer being used.

Mr. Laf Lahaye remembers that Barden Hill Road was very passable all the way to Exit 16 when he was a kid.

1 Ms. Monroe spoke on remembering walking on a road that may have been either Churchill Way or
2 Barden Hill Road all the way to Methodist Hill Road but felt that the trail was a little vague.
3 Ms. Hirai wanted to know if the Road is posted East of the cellar hole and if so, could the Committee
4 members walk the road to see the area in question for themselves?

5
6 ***Ms. Monroe MOVED to extend the meeting until 8:15 PM.***

7 ***Seconded by Mr. Heistad.***

8
9 **Roll Call Vote:**

10 **Stephen Wood, Erling Heistad, Joan Monroe, Marc Coleman, Barbara Hirai, Colin Smith all**
11 **voting Yea.**

12 **None voted Nay.**

13
14 **** The Vote on the MOTION passed (6-0).***

15
16 Ms. Patch gave permission to walk the road in question and would like to be alerted as to when someone
17 would be on the property due to loggers working in the area. Mr. Goodwin will give the Committee
18 members Ms. Patch's contact information.

19
20 Mr. Coleman asked if there was a statute of limitations between the continued use of a road being stopped
21 and the City being able to claim it as a public right of way? Mr. Goodwin explained that unless the City
22 takes an official action to discontinue it, it remains a public right of way for eternity. Mr. Coleman also
23 asked if the people who remembered the Road were on an actual established path or if they were kind of
24 wandering through the property heading in a certain direction?

25
26 The Class VI Roads Committee discussed the issue further and decided that they would like to look at the
27 property and take up this same issue at the next meeting. No decisions were made at this meeting. The
28 Committee members were reminded that they could not discuss this matter outside of the meeting with
29 each other and that if they went up to the property, they could not have too many members there at one
30 time and risk forming a quorum.

31
32 **12. ADJOURNMENT:**

33
34 ***A MOTION was made by Ms. Hirai to adjourn the meeting at 8:13 PM.***

35 ***The MOTION was seconded by Mr. Heistad.***

36
37 **Roll Call Vote:**

38 **Colin Smith, Erling Heistad, Joan Monroe, Barbara Hirai, Stephen Wood, Marc Coleman all**
39 **voting Yea.**

40 **None voted Nay.**

41
42 **** The Vote on the MOTION was approved (6-0).***

43
44 Respectfully submitted,
45 Barbara Higgins
46 Recording Secretary